



CITY OF FITCHBURG

Filed in the City Clerk's Office:

NOTICE OF PUBLIC MEETING

CITY COUNCIL REGULAR MEETING

MEETING DATE: Tuesday, March 19, 2019

MEETING TIME: 7:00 AM PM

MEETING PLACE: MEMORIAL MIDDLE SCHOOL LIBRARY

Name of building (if applicable) _____

Room number (if applicable) _____

Address 615 ROLLSTONE STREET

City FITCHBURG, MA 01420

AGENDA ITEMS:* **SEE ATTACHED**

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2019 MAR 14 PM 2:03
FITCHBURG CITY CLERK

ANNA M. FARRELL, CITY CLERK

Name and title of person submitting this notice

**Please note: Massachusetts Open Meeting Law requires that all topics that the Chair reasonably anticipates must be listed and that the list of topics must be sufficiently specific to reasonably inform the public of the issues to be discussed at the meeting.*



WELCOME TO THE FITCHBURG CITY COUNCIL!

This is intended to help you understand the meeting format and assist you with the rules of the Council as they pertain to your participation.

All meetings of the Fitchburg City council are open to the public. This does not mean that the public participates in all aspects of the meeting. It simply means that the meeting itself, including all discussions and votes, is open for public view.

Executive Session

The only time a Council meeting can be closed to the public is when the Council votes for Executive Session in order to discuss sensitive matters in private, such as pending litigation. Any votes taken however, must be taken in open session.

OPPORTUNITIES FOR THE PUBLIC TO SPEAK DURING A COUNCIL MEETING:

Public Forum

The Public Forum occurs immediately following the Pledge of Allegiance. The President will ask if anyone in the audience wishes to speak on any matter appearing on the Agenda. If you wish to address the Council, you must stand and be recognized and follow these rules before speaking:

1. State your name and address.
2. Approach the center table and either stand or sit. This allows you to be seen and heard clearly by everyone in attendance.
3. You may speak only on items appearing on the agenda for no more than (2) minutes. Copies of the agenda are available on the center table prior to the meeting.
4. Please state the petition, order, ordinance, or resolution number to which you refer.

Public Hearings

Public hearings are held on various issues such as Special Permits and Zoning changes. The same rules apply with the following exceptions:

1. You must stand and be recognized either "in favor" or "in opposition" when asked by the Council President.
2. You need not refer to the petition number.

If you have any questions or comments either before or after the meeting, any Councillor would be happy to assist you.

Thank you for your interest!

I. PUBLIC FORUM

II. REPORT OF COMMITTEE ON RECORDS

III. COMMUNICATIONS FROM HIS HONOR THE MAYOR

Appointment Letters:

1. Mr. David C. Brooks, as a member of the Board of Park Commissioners for a term to expire April 1, 2024.

IV. SPECIAL PRESENTATION

DPW-Wastewater Division
RE: Consent Decree

V. REPORTS OF COMMITTEES

Appointments Committee Oral Report
Meeting of March 19, 2019, 6:45 PM

Re-Appointments:

Human Rights Commission

(Term to expire January 1, 2022)

Ms. Cheryl Maguy-Stewart

(Term to expire May 1, 2021)

Mr. David Roth

New Appointment:

Council on Aging

(Term to expire March 2, 2022)

Mr. George J. Bourque II

Finance Committee

Meeting of March 12, 2019

- 050-19. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED TWENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$125,000.00) same to be charged against AVAILABLE FUNDS and credited to COMMUNITY DEVELOPMENT EXPENSES, ZONING ORDINANCE UPDATE account for the purpose of procuring a consultant to assist in the updating of the city's Zoning Ordinance.
(Be Adopted)

- 051-19. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Transportation, Aeronautics Division, Airport Safety and Maintenance Program grant in the approximate amount of \$640,000.00 (SIX HUNDRED FORTY THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to pay for the installation of a self-serve fueling station at the airport.
(Be Adopted)
- 052-19. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED SIXTY THOUSAND AND 00/100 DOLLARS (\$160,000.00) same to be charged against AVAILABLE FUNDS and credited to AIRPORT CAPITAL, SELF-SERVE FUELING STATION account, for the purpose of installing a self-serve fueling station at the airport.
(Be Adopted)
- 053-19. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$150,000) same to be charged against AVAILABLE FUNDS and credited to POLICE, CAPITAL EXPENDITURES, BUILDING REPAIRS for the purpose of replacing the main HVAC roof top unit and thermostat and PVC control valves regulating HVAC functions.
(Be Adopted)
- 054-19. ORDERED THAT: There be and hereby is appropriated the sum of NINE THOUSAND AND 00/100 DOLLARS (\$9,000.00) same to be charged against AVAILABLE FUNDS and credited to POLICE, CAPITAL EXPENDITURES, BUILDING REPAIRS for the purpose of construction design services for expansion of the female locker room.
(Be Adopted)
- 055-19. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED NINETY THOUSAND AND 00/100 DOLLARS (190,000.00) same to be charged against AVAILABLE FUNDS and credited to DEPARTMENT OF PUBLIC WORKS, CAPITAL, STREET REPAIR for the purpose of repairing and repaving city streets.
(Be Adopted)
- 056-19. ORDERED THAT: There be and hereby is appropriated the sum of THIRTY-FIVE THOUSAND AND 00/100 DOLLARS (\$35,000.00) same to be charged against AVAILABLE FUNDS and credited to DEPARTMENT OF PUBLIC WORKS, CAPITAL, ARBOR WAY for the purpose of designing repairs to the Arbor Way retaining wall.
(Be Adopted)

- 057-19. ORDERED THAT: There be and hereby is appropriated the sum of EIGHTY-EIGHT THOUSAND AND 00/100 DOLLARS (\$88,000.00) same to be charged against AVAILABLE FUNDS and credited to DEPARTMENT OF PUBLIC WORKS, CAPITAL, BUILDING RENOVATION for the purpose of designing and installing a new roof over the DPW Office Building.
(Be Adopted)
- 058-19. ORDERED THAT: There be and hereby is transferred from within the sum of TWENTY-FOUR THOUSAND AND 00/100 DOLLARS (\$24,000.00) same to be transferred from DPE HIGHWAY, EXPENSES, GAS & OIL (\$20,000.00) and DPW HIGHWAY, EXPENSES, BUILDING & GROUNDS (\$4,000.00) and credited to DPW HIGHWAY, PERSONAL SERVICES, OVERTIME.
(Be Adopted)
- 059-19. ORDERED THAT: There be and hereby is transferred from within the sum of ONE THOUSAND AND 00/100 DOLLARS (\$1,000.00) same to be transferred from PARKS, PERSONAL SERVICES, CERTIFICATIONS and credited to PARKS, PERSONAL SERVICES, OVERTIME.
(Be Adopted)
- 060-19. ORDERED THAT: There be and hereby is transferred from within the sum of THREE THOUSAND AND 00/100 DOLLARS (\$3,000.00) same to be transferred from CEMETERY, PERSONAL SERVICES, LABOR and credited to CEMETERY, PERSONAL SERVICES, OVERTIME.
(Be Adopted)
- 066-19. Lenny Laakso, DPW Commissioner, to amend Chapter 44, Section 10 of the code of the City of Fitchburg by deleting the current rates for temporary seasonal employees and adding the attached table of wage rates, to be in compliance with minimum wage laws.
(Be Granted)

COMMUNICATION: Year 45 Community Block Grant Application
(Be adopted)

VI. ORDERS-FINANCE

- 067-19. ORDERED THAT: The Honorable Mayor Stephen DiNatale is authorized on behalf of the City of Fitchburg to facilitate and execute the attached Community Host Benefit agreement with Stalk & Beans located at 431 Westminster Street, Fitchburg, MA.
- 068-19. ORDERED THAT: The Airport Commission be authorized, in accordance with M.G.L. c. 90, s. 51F to lease said Parcel for a period of more than 20 years to the City of Fitchburg as outlined in the enclosed lease agreement.

VII. ORDERS-OTHER

- 069-19. ORDERED THAT: The City of Fitchburg shall, through its Mayor Stephen L. DiNatale, approve and authorize the execution and delivery of the Grant of Easement between the City and MA. Electric Co. and Verizon New England, Inc., (Mare Meadow Reservation), as outlined in the enclosed Order.
(Reference Petition #26-19)
- 070-19. ORDERED THAT: The City Petition the General court of the Commonwealth to enact Special Legislation as follows:
Notwithstanding Section 17 of Chapter 138 of the General laws, the licensing authority of the City of Fitchburg may grant an additional license for the sale of all alcohol beverages not to be drunk on the premises under Section 15 of said Chapter 138 for the premises located 381 John Fitch Highway, Fitchburg, Massachusetts. The license shall be subject to all of said Chapter 138, except said Section 17.
(Reference Petition #274-18)

VIII. ORDINANCES

- 071-19. AN ORDINANCE: Section 169-24 of the City Code, entitled "Parking prohibited at all times" shall be amended as follows:

A new line shall be inserted below the line beginning "Wallace Street" and the following words shall be inserted thereon:

The words "Wallace Avenue" shall be inserted under the "Name of Street" column;

The words "Easterly" shall be inserted under the "Side" column;

The word "From a point of 72 feet northerly from the intersection of Elm Street and Wallace Avenue".

The resulting inserted line shall read as follows:

Name of Street	Side	Location
Wallace Avenue	Easterly	From a point of 72 feet northerly from the intersection of Elm Street and Wallace Avenue

(Reference Petition #256-18)
FIRST READING

072-19. AN ORDINANCE: Section 169-42.1 of the City Code, entitled "Additional meter zones" at the line which references in the first column "Wallace Avenue" shall be amended as follows:

In the third column of said line, the words "From Elm Street to Prichard Street" shall be struck and insert "From Elm Street to Prichard Street, except for the first four (4) 9' x 18' foot parking spaces on the easterly side beginning at the intersection of Elm Street and Wallace Avenue" in its place.

The resulting amendment shall read as follows:

Name of Street	Side	Location
Wallace Avenue	Both	From Elm Street to Prichard Street, except for the first four (4) 9' x 18' foot parking spaces on the easterly side beginning at the intersection of Elm Street and Wallace Avenue

(Reference Petition #256-18)
FIRST READING

073-19. AN ORDINANCE: Section 169-42 of the City Code, entitled "Parking meter zones" at the line which references in the first column "Grove Street" shall be amended as follows:

In the third column of said line, the words "From Elm Street north to Prichard Street" shall be struck and insert "From a point of 18 feet northerly from the intersection Grove Street and Elm Street to Prichard Street" in its place.

A "No Parking Prisoner Loading Area" sign shall be erected in its place.

The resulting amended line shall read as follows:

Name of Street	Side	Hours	Location
Grove Street	East	10 hrs.	From a point of 18 feet northerly from the intersection of Grove Street and Elm Street to Prichard Street

(Reference Petition #256-18)
FIRST READING

IX. PETITIONS

- 074-19. Councilor Amy Green, on behalf of resident Janice Kennefick-Perez, 11 Washington Street, to petition that the easement placed on 11 Washington Street be removed subjecting it to the side yard sales program & deem it as surplus property.
(City Property Committee)
- 075-19. Anna M. Farrell, City Clerk, to discuss the options and vote to designate the Ward 5A and 5B polling locations.
(Legislative Affairs Committee)
- 076-19. Fitchburg Planning Board, to amend the Fitchburg Zoning Ordinance by revising Section 181.87, Smart Growth Overlay District (SG) in its entirety and replacing it with a new Section 181.87.
(City Council Public Hearing May 21, 2019, and Planning Board)
- 077-19. Councilor Paul Beachemin, to request that the Department of Public Works submit annually on or about February 1st to the City Council a prioritized list of streets to be paved.
(Public Works Committee)
- 078-19. Councilor Amy Green, on behalf of Katherine Polis, 31 Second Street, to install a no parking sign at the intersection of Second Street & Middle Street.
(Public Safety Committee)
- 079-19. Carlos Humberto Castano, CHC Auto Sales, to petition for a Class II Dealer's License to be located at 426 River Street.
(Public Safety Committee)

Next Regular Meeting
Tuesday, April 2, 2019, 7:00 PM

